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August 11, 2010

**VIA FACSIMILE, ELECTRONIC  
AND FIRST-CLASS MAIL**

Miguel A. Fernandez, Esq.  
Assistant United States Attorney  
Chief of Civil Division and  
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U.S.D.C.-PR 125106  
Torre Chardon Building  
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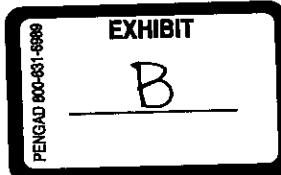
Re: *United States v. \$750,000 Seized from Rosemont I and Rosemont I Corporation, et al.; Case No. 09-01549 (ADC)*

Greetings Miguel:

I hope this letter finds you well. Per the few voice mails that I left for you last week, I write on behalf of Megaval Enterprises, Ltd. ("Megaval"), in connection with the above-referenced forfeiture proceeding in the United States District Court for the District of Puerto Rico.

As you recall, on May 12, 2010, we met with you and Victor Rodriguez at the U.S. Attorney's office in San Juan, during which an agreement was reached that would resolve this matter in its entirety with respect to Megaval. In particular, the Government agreed to return to Megaval \$3,232,354.10, which represents approximately 92.8% of the \$3,482,354.12 seized from Megaval's account at Caracas International Banking Corp. (# 200000473). The Government further agreed that in the event that any other defendant were to negotiate a return of a higher percentage of their total funds seized, Megaval would be entitled to a return of at least the same percentage of the amount seized from it. The following day, I sent you an e-mail (a copy of which is enclosed herein) containing a summary of the agreed-upon terms, which include those referenced above.

Since we reached our agreement, various other defendants have reached agreements to resolve this matter with the Government. Of these, there have been multiple instances in which the Government has agreed to return all (*i.e.* 100%) of the seized funds. Just recently, the Government moved to voluntarily dismiss the Complaint, in its entirety, against Capital Partners Inc./Blueberry Financial Services, Ltd. and asked the Court to order the United States Marshals Service to return all of the seized funds to the defendant [D.E. # 191]. Last week, the Court



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entered an Order [D.E. # 193] granting the Government's motion. That same day, the Government filed nearly identical motions with respect to defendants Rosemont I Corporation, d/b/a IVP Overseas [D.E. #194], and Gonzalo Tirado and Asociados C.A., by Order of Uno Capital Management, Ltd. [D.E. # 195], which the Court granted almost immediately [D.E. ## 196, 197], resulting in these defendants also obtaining the return of all of their seized funds.

In accordance with the terms of the agreement we reached in May, Megaval seeks to avail itself of the provision entitling it to obtain a return of the same percentage of amounts seized as the defendants mentioned in the preceding paragraph. To that end, we are attaching a draft motion to dismiss and proposed order, similar to those filed by the Government in the cases referred to in the prior paragraph.

Thank you again for your attention to this.

Best regards,



Jesus E. Cuza

cc: Mr. Victor Rodriguez  
Francisco O. Sanchez, Esq.

**Sanchez, Frank O. (Assoc-Mia-LT)**

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**From:** Cuza, Jesús E. (Shld-FTL-LT)  
**Sent:** Thursday, May 13, 2010 12:35 PM  
**To:** 'miguel.fernandez@usdoj.gov'; 'victor.a.rodriguez@usdoj.gov'  
**Cc:** Sanchez, Frank O. (Assoc-Mia-LT)

Dear Miguel and Victor:

Subject to the following, I can confirm that Megaval is willing to enter into the 250K settlement proposed by the Government yesterday:

1. Megaval receives all of the monies seized (other than the 250K) within the next 21 days. Should Megaval not be released the moneys within the time agreed upon, Megaval shall be entitled to collect from the 250K it is willing to give up 50K per each week of delay.
2. Should any of the other defendants negotiate a better % with the Government (e.g., any one of them recovers a higher % of the amounts seized by the Gov than the % Megaval will be recovering), Megaval will then be entitled to settle for at least the "better %" negotiated by any of the other defendants.
3. The settlement documents will contain language that protects the goodwill of Megaval and does not imply that Megaval infringed any law.

Finally, Sevilla's funds will be returned in full within the next 21 days.

There are other minor matters that I need to discuss with you prior to in fact agreeing to a settlement; however, I am certain that these will not be an obstacle to concluding the settlement.

When can you discuss this? Afterwards, I will need an email or letter from you confirming that we are on the same page and that we have a final agreement.

It was a pleasure meeting with you both yesterday.

Thx

Jesus  
Sent from my Blackberry

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,  <b>Plaintiff,</b>  v.  \$750,000.00 FUNDS SEIZED FROM ROSEMONT I, AND ROSEMONT I CORPORATION et al.,  D) \$7,579.96 Funds Seized From Megaval Enterprises, Ltd. d/b/a Rosemont G Corporation,  G) \$3,299,340.32 Funds Seized From Megaval Enterprises, Ltd. d/b/a Rosemont G Corporation  P) \$95,542.50 Funds Seized From Megaval Enterprises, Ltd. d/b/a Rosemont G Corporation,  S) \$59,137.00 Funds Seized From Megaval Enterprises, Ltd. d/b/a Rosemont G Corporation,  Y) \$5,985.00 Funds Seized From Megaval Enterprises, Ltd., and  CC) \$14,769.23 Funds Seized From Megaval Enterprises, Ltd.,  <b>Defendants.</b>	CIVIL NO. 09-1549 (ADC-BJM)
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**UNITED STATES OF AMERICA'S MOTION FOR VOLUNTARY DISMISSAL  
AND RELEASE OF FUNDS AS TO MEGAVAL ENTERPRISES, LTD.**

TO THE HONORABLE COURT:

COMES NOW, plaintiff, the United States of America, and through its undersigned attorneys, Rosa Emilia Rodriguez Velez, United States Attorney for the District of Puerto Rico, and Miguel A. Fernandez, Assistant United States Attorney, and respectfully states and prays:

1. One June 16, 2009, a verified complaint for forfeiture *in rem* was filed in the instant case [D.E. # 2].

2. In the complaint, it was stated that the following property was to be forfeited to the United States of America, pursuant to Title 18, United States Code, § 981(a)(1)(A) and (C) and Title 21, United States Code, § 881(a)(6):

- D) **\$7,579.96 Funds Seized From Megaval Enterprises, Ltd. d/b/a Rosemont G Corporation,**
- G) **\$3,299,340.32 Funds Seized From Megaval Enterprises, Ltd. d/b/a Rosemont G Corporation.**
- P) **\$95,542.50 Funds Seized From Megaval Enterprises, Ltd. d/b/a Rosemont G. Corporation,**
- S) **\$59,137.00 Funds Seized From Megaval Enterprises, Ltd. d/b/a Rosemont G. Corporation,**
- Y) **\$5,985.00 Funds Seized From Megaval Enterprises Ltd., and**
- CC) **\$14,769.23 Funds Seized From Megaval Enterprises Ltd.**

3. The United States hereby respectfully moves the Honorable Court, pursuant to Fed.R.Civ.P. 41(a)(2), to enter an order of voluntary dismissal in the instant case as to the above described property identified in the verified complaint for forfeiture as (D), (G), (P), (S), (Y) and (CC); and to order the United States Marshals Service to release the funds to Megaval Enterprises, Ltd., through its attorney, Jesus E. Cuza, 401 East Las Olas Boulevard, Suite 2000, Fort Lauderdale, Florida 33301, telephone (954) 765-0500, facsimile (954) 765-1477, and e-mail [cuzaj@gtlaw.com](mailto:cuzaj@gtlaw.com).

**WHEREFORE**, the United States respectfully prays to the Honorable Court that the present motion be granted.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this \_\_\_\_ day of August, 2010.

*Rosa Emilia Rodríguez-Vélez*  
*United States Attorney*

/s/Miguel A. Fernández  
Miguel A. Fernández  
Assistant United States Attorney  
Chief of the Civil Division and  
Asset Forfeiture Unit  
U.S.D.C.-PR 125106  
Torre Chardón, Suite 1201  
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UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,  Plaintiff,  v.  \$750,000.00 FUNDS SEIZED FROM ROSEMONT I, AND ROSEMONT I CORPORATION et al.,  D) \$7,579.96 Funds Seized From Megaval Enterprises, Ltd. d/b/a Rosemont G Corporation,  G) \$3,299,340.32 Funds Seized From Megaval Enterprises, Ltd. d/b/a Rosemont G Corporation  P) \$95,542.50 Funds Seized From Megaval Enterprises, Ltd. d/b/a Rosemont G Corporation,  S) \$59,137.00 Funds Seized From Megaval Enterprises, Ltd. d/b/a Rosemont G Corporation,  Y) \$5,985.00 Funds Seized From Megaval Enterprises, Ltd., and  CC) \$14,769.23 Funds Seized From Megaval Enterprises, Ltd.,  Defendants.	CIVIL NO. 09-1549 (ADC-BJM)
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ORDER

Upon motion for voluntary dismissal and release of funds as to Megaval Enterprises, Ltd. filed by the United States, and after having been duly advised of all the facts and after due deliberation, this Court hereby dismisses this case and orders the Untied States Marshal's Service to release the following property:

- D) \$7,579.96 Funds Seized From Megaval Enterprises, Ltd. d/b/a Rosemont G Corporation,

- G) **\$3,299,340.32 Funds Seized From Megaval Enterprises, Ltd. d/b/a Rosemont G Corporation.**
- P) **\$95,542.50 Funds Seized From Megaval Enterprises, Ltd. d/b/a Rosemont G. Corporation,**
- S) **\$59,137.00 Funds Seized From Megaval Enterprises, Ltd. d/b/a Rosemont G. Corporation,**
- Y) **\$5,985.00 Funds Seized From Megaval Enterprises Ltd., and**
- CC) **\$14,769.23 Funds Seized From Megaval Enterprises Ltd.**

to Claimant Megaval Enterprises, Ltd., through its attorney, Jesus E. Cuza, 401 East Las Olas Boulevard, Suite 2000, Fort Lauderdale, Florida 33301, telephone (954) 765-0500, facsimile (954) 765-1477, and e-mail [cuzaj@gtlaw.com](mailto:cuzaj@gtlaw.com).

**IT IS SO ORDERED.**

In San Juan, Puerto Rico, this \_\_ day of August, 2010.

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AIDA M. DELGADO-COLON  
UNITED STATES DISTRICT JUDGE  
DISTRICT OF PUERTO RICO

cc: counsel of record